

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

United States Court of Appeals  
Fifth Circuit

**FILED**

October 18, 2012

Lyle W. Cayce  
Clerk

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No. 12-60205  
Summary Calendar

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ZHONG WEI SUN,

Petitioner

v.

ERIC H. HOLDER, JR., U. S. ATTORNEY GENERAL,

Respondent

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Petition for Review of an Order of the  
Board of Immigration Appeals  
BIA No. A095 607 161

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Before WIENER, ELROD, and GRAVES, Circuit Judges.

PER CURIAM:\*

Petitioner Zhong Wei Sun seeks our review of the decision of the Board of Immigration Appeals (BIA) denying his motion to reopen his immigration proceedings. As Sun does not challenge the BIA's ruling that the motion to reopen was untimely filed, he has waived this issue. *See Soadjede v. Ashcroft*, 324 F.3d 830, 833 (5th Cir. 2003); *see also Calderon-Ontiveros v. I.N.S.*, 809 F.2d 1050, 1052 (5th Cir. 1986). And, as this issue is dispositive, we do not address

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\* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

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Sun's challenge of the BIA's alternative reason for denying his motion to reopen, viz., his ineligibility for adjustment of status.

PETITION FOR REVIEW DENIED.